MEETINGS TO DATE 18 NO. OF REGULARS 16 NO. OF SPECIALS 2

LANCASTER, NEW YORK AUGUST 15, 1983

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 15th day of August, 1983, at 8:00 P.M. and there were:

PRESENT:

STANLEY JAY KEYSA, SUPERVISOR

RONALD A CZAPLA, COUNCILMAN

ROBERT H. GIZA, COUNCILMAN

LEONARD E. GRZYBOWSKI, COUNCILMAN

ABSENT:

DONALD C. KWAK

ALSO PRESENT:

ROBERT P. THILL, TOWN CLERK

DOMINIC J. TERRANOVA, TOWN ATTORNEY

RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY

ROBERT LABENSKI, TOWN ENGINEER

THOMAS E. FOWLER, CHIEF OF POLICE

ROBERT L. LANEY, BUILDING INSPECTOR

BID OPENINGS:

None

PUBLIC HEARINGS:

None

OFFICIAL REPORTS:

None

## COMMITTEE REPORTS:

Councilman Czapla, for the Cable TV Committee, reported that Global Cable TV was not purchased by Tri-County Cablevision and that Global Cable TV will complete their franchise commitment to the Town of Lancaster.

The Deputy Town Attorney was directed to invite the new management of Global Cable TV to a general information discussion at the next meeting of the Town Board scheduled for September 6, 1983.

Councilman Grzybowski noted an article that recently appeared in the Buffalo News relative to a county-wide police consolidation.

Councilman Grzybowski, later in the meeting, requested a suspension of the necessary rule and a resolution was adopted expressing the opposition of the Town Board to any county-wide police consolidation.

## PRESENTATION OF PREFILED RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED , WHO MOVED BY COUNCILMAN CZAPLA ITS ADOPTION, SECONDED BY COUNCILMAN , TO WIT:

RESOLVED, that the minutes of the meeting of the Town Board, held August 1, 1983, as presented by the Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

> COUNCILMAN CZAPLA VOTED YES COUNCILMAN GIZA VOTED YES COUNCILMAN GRZYBOWSKI VOTED YES WAS ABSENT COUNCILMAN KWAK VOTED YES

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The resolution was thereupon unanimously adopted.

SUPERVISOR KEYSA

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRZYBOWSKI , TO WIT:

WHEREAS, the Town of Lancaster Ambulance Board, by letter dated August 11, 1983, has recommended the appointment of certain individuals to the Town of Lancaster Volunteer Ambulance Corps,

NOW, THEREFORE, BE IT

RESOLVED, that the following additions be made to the membership of the Town of Lancaster Ambulance Corps:

Joanne Skrzypkowiak 432 Borden Road West Seneca, New York 14224 Walter J. Ryszka 65 Camner Avenue Lancaster, New York 14086

YES

Michael Heim 163 Harvard Depew, New York 14043

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK WAS ABSENT

COUNCILMAN GRZYBOWSKI VOTED

SUPERVISOR KEYSA VOTED YES

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA, 10 WIT:

WHEREAS, Stephen Amusements, Inc., owners and operators of the Wehrle Drive-In Theatre, 6731 Transit Road, Lancaster, New York, have submitted a renewal application for a license to operate a drive-in theatre within the Town of Lancaster, for the period July 30, 1983 to July 30, 1984, and

WHEREAS, the Town Clerk has informed the Town Board that the necessary license fee and security deposit has been filed with his office, and

WHEREAS, the Building Inspector has reviewed the application and indicated no objection to the issuance of a license to said applicant,

NOW, THEREFORE, BE IT

RESOLVED, that Stephen Amusements, Inc., owners and operators of the Wehrle Drive-In Theatre, 6731 Transit Road, Lancaster, New York, be and is hereby authorized to operate a drive-in theatre within the Town of Lancaster, New York for the period July 30, 1983 to July 30, 1984.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN GRZYBOWSKI VOTED YES

COUNCILMAN KWAK WAS ABSENT

SUPERVISOR KEYSA VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GRZYBOWSKI , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA , TO WIT:

RESOLVED, that the following transfers be and hereby are effected:

	Fro	m	Т	0
GENERAL FUND	Acct.	Amount	Acct.	Amount
Supervisor Equipment Contractual Exp.	1220.4	\$ 300.00	1220.2	\$ 300.00
Rec. of Taxes Equipment Contractual Exp.	1330.4	225.00	1330.2	225.00
Assessment Equipment Contractual Exp.	1355.4	100.00	1355.2	100.00
Employee Benefits State Retirement Fire & Police Retirement	9015.8	380.00	9010.8	380.00
Contingent Acct. Capital Note Principal	1990	3050.00	9710.6	3050.00
Ambulance Contractual Exp. Contractual Exp.	4540.431	1000.00	4540 . <b>43</b> 2	1000.00
FEDERAL REVENUE SHARING FUND				
Trash Collection Contractual Services Dumping Fees	8160.412	5000.00	8160.411	5000.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN	CZAPLA	VOTED YES
COUNCILMAN	GIZA	VOTED YES
COUNCILMAN	GRZYBOWSKI	VOTED YES
COUNCILMAN	KWAK	WAS ABSENT
SUPERVISOR	KEYSA	VOTED YES

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THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GRZYBOWSKI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA. TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster has requested the purchase of two (2) New and Unused Diesel-Powered  $4 \times 2$  straight trucks, 1982 or 1983, as specified, for use of the Highway Department, and

WHEREAS, the Highway Committee of the Town Board recommends that such purchase be authorized,

NOW, THEREFORE, BE IT

RESOLVED, that Notice to Bidders, in form attached hereto and made a part hereof, be published in the Lancaster Enterprise & Journal and be posted according to Law that the Town Board will receive bids up to 8:00 o'clock P.M., Local Time, on September 6, 1983, at the Town Hall, 21 Central Avenue, Lancaster, New York, for the purpose of furnishing two (2) new and unused 1982 or 1983 New and Unused Diesel-Powered 4 x 2 straight trucks, for the Highway Department of the Town of Lancaster in accordance with specifications on file in the office of the Town Clerk.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN GRZYBOWSKI VOTED YES

COUNCILMAN KWAK WAS ABSENT

SUPERVISOR KEYSA VOTED YES

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LEGAL NOTICE

NOTICE TO BIDDERS TOWN OF LANCASTER

NOTICE IS HEREBY GIVEN that sealed bids will be received by the Town Board of the Town of Lancaster, Erie County, New York, in the Council Chambers of the Town Hall, 21 Central Avenue, Lancaster, New York, up to 8:00 o'clock P.M., Local Time on September 6, 1983, for furnishing two (2) New Unused 1982 or 1983 Diesel-Powered 4 x 2 Straight Trucks, for use of the Highway Department of the Town of Lancaster, in accordance with specifications on file in the Town Clerk's Office.

Specifications may be obtained at the Town Clerk's Office in the Town Hall, 21 Central Avenue, Lancaster, New York.

A Certified Check or Bid Bond in an amount representing five per centum (5%) of the "Gross Bid", payable to the Supervisor of the Town of Lancaster and a non-collusive bid certificate must accompany each bid.

The Board reserves the right to reject any or all bids and to waive any informalities.

TOWN BOARD OF THE TOWN OF LANCASTER

BY: ROBERT P. THILL Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GRZYBOWSKI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GIZA, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid from their respective accounts:

ACCOUNT	ORDER NUMBER	TOTAL AMOUNT
General Fund	No. 4259 to 4344 Incl.	\$102,141.81
Highway Fund	No. 1781 to 1800 Incl. No. 1950 to 1955 Incl.	\$ 34,330.38
Special District Fund	No. 674 to 676 Incl.	\$ 11,753.41
Trust & Agency Fund	No. 688 to 691 Incl.	\$ 23,375.92
Federal Revenue Sharing Fund	No. 642 to 647 Incl.	\$ 1,952.99
Community Development Fund (Rehab. Escrow Acct.)	No. 130 to 130 Incl.	\$ 300.00

and,

### BE IT FURTHER

RESOLVED, that the claim of applicant and JLM Contracting for \$300.00, Grant No. 595, Project 435106 Town of Lancaster, has been approved by the Community Development Program, and the Supervisor be and is hereby ordered to submit this claim for payment from Community Development Rehabilitation Escrow Account.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN	CZAPLA	VOTED YES
COUNCILMAN	GIZA	VOTED YES
COUNCILMAN	GRZYBOWSKI	VOTED YES
COUNCILMAN	KWAK	WAS ABSENT
SUPERVISOR	KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN CZAPLA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRZYBOWSKI , TO WIT:

RESOLVED, that the following Building Permit Applications be and are hereby approved and the issuance of Building Permits be and are hereby authorized:

NO.	NAME	ADDRESS	STRUCTURE
134	Raymond D. Taylor	339 Iroquois Ave.	ER. FR. SHED
135	Jos. Thomas	3534 Bowen Rd.	ER. GREENHOUSE
136	Richard L. Church	193 Cemetery Rd.	ER. FR., STEEL STORAGE BLDG.
137	Raymond Hill	313 Ransom Rd.	EXT. FR. SIN. DWLG
138	Dale Suchow	39 Stutzman Rd.	EXT. FR. DECK
139	Raymond Zima	357 Ransom Rd.	EXT. FR. SIN. DWLG
140	Kevin & Diane Lohman	186 Brunck Rd.	ER. FR. SHED
141	Steve Rosinski	163 Pleasant View Dr.	ER. FR. SHED
142	Jos. Milazzo	161 Schwartz Rd.	EXT. FR. SIN. DWLG

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN	CZAPLA	VOTED	YES
COUNCILMAN	GIZA	VOTED	YES
COUNCILMAN	GRZYBOWSKI	VOTED	YES
COUNCILMAN	KWAK	WAS ABS	SENT
SUPERVISOR	KFYSA	VOTED	YES

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Councilman Grzybowski requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED:

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GRZYBOWSKI, WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN CZAPLA, TO WIT:

WHEREAS, certain individuals in the enforcement field in Erie County have proposed the consolidation of police forces to create a metropolitan police force in Erie County, and

WHEREAS, the Town of Lancaster has provided a first rate police force of superior status, and

WHEREAS, a metropolitan police force would not be in the best interests of the residents of the Town of Lancaster;

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature be and hereby is memorialized and informed of the opposition to the concept of metropolitan police, merging police forces of Erie County into one unit, and

BE IT FURTHER

RESOLVED, that a certified copy of this resolution be forwarded by the Town Clerk to the Clerk of the Erie County Legislature and County Legislators Richard Slisz and Kalph Nohr.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN GRZYBOWSKI VOTED YES

COUNCILMAN KWAK WAS ABSENT

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted. August 15, 1983

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Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution - SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED BY COUNCILMAN GIZA , WHO MOVED ITS ADOPTION, SECONDED BY COUNCILMAN GRZYBOWSKI , TO WIT:

WHEREAS, the Town Board has heretofore received bids for the furnishing of all materials, labor and equipment for the installation of a water service line at the Lancaster Town Center, 525 Pavement Road, Lancaster, New York,

NOW, THEREFORE, BE IT

RESOLVED, in accordance with the recommendation and report of Krehbiel Associates, dated August 15, 1983, and filed with the Town Clerk, the contract for the installation of water service line and certain plumbing improvements at the Lancaster Town Center, 525 Pavement Road, Lancaster, New York, be and hereby is awarded to K & L PLUMBING, S. 1921 Three Rod Road, Alden, New York 14004, in the amount of \$15,763.50, being the lowest responsible bid in accordance with the specifications on file with the Town Clerk, and

BE IT FURTHER

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the contract for same.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN GRZYBOWSKI VOTED YES
COUNCILMAN KWAK WAS ABSENT
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

#### STATUS REPORT ON UNFINISHED BUSINESS:

- 1. Dumping Permit Helen Fahey
  On April 18, 1983, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
- 2. <u>Dumping Permit Manhasset Tool & Die Co., Inc.</u>
  On August 15, 1983, the Planning Board recommended denial of this permit.
- 3. Public Improvement Permit Authorization Country View East Subdivision,
  Phase 1 Marrano
  The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1983.
- 4. Public Improvement Permit Authorization Heritage Hills Subdivision,
  Phase 1
  The Town Board is awaiting maintenance security for P.I.P. No. 65
  (retention pond) prior to acceptance.
- 5. Public Improvement Permit Authorization Woodview Estates Subdivision The Town Board authorized issuance of P.I.P. No. 57 (sidewalks) and No. 58 (street lighting) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
- 6. Public Improvement Permit Authorization Lancaster Industrial Commerce Center
  The Town Board authorized issuance of P.I.P. No. 77 (water mains) and No. 78 (retention basin) on June 6, 1983.
- 7. Road Acceptance Pasquale Drive
  On November 15, 1982, the Town Board tabled this matter for further study.
- 8. School Zone Designation Cayuga Heights Elementary School
  On July 29, 1983, the N.Y.S. Dept. of Transportation acknowledged the
  Town's request for this designation and indicated an investigation as
  their case load permits.
- 9. Subdivision Approval Plumb Bottom Estates
  On June 1, 1981, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
- 10. Traffic Study Bowen Road and Broadway
  On November 30, 1982, the N.Y.S. Dept. of Transportation forwarded to
  the Supervisor a traffic count for the intersection of Broadway and Bowen
  Roads.
- Traffic Study Genesee Street and Ransom Road
  On July 28, 1983, Assemblyman Graber notified the Town Board that reconstruction of this intersection will take place in the Spring of 1984.
- 12. Traffic Study Speed Reduction on William Street
  On July 15, 1983, the N.Y.S. Dept. of Transportation indicated that they expect to complete this study within the next month.

The Town Clerk was directed to add the following to future Town Board agendas

"Traffic Study - Speed Redection on Simme Road"

# PERSONS ADDRESSING TOWN BOARD:

Mrs. Margaret Orsolits, 86 Simme Road, presented to the Town Board a petition signed by various residents of Simme Road, requesting a reduction on the speed limit on this Town highway.

The petition was referred to the Chief of Police for review and recommendation to the Town Board.

576.	Town Clerk to Supervisor - Monthly report for July 1983.	RεF
577.	Miles, Cochrane, Grosse, Rossetti & Chelus, Attorneys to Town Clerk - Notification of defective condition on highway in front of 1821 Como Park Blvd.	DEP. TOWN ATTORNEY
578.	Asst. Building Inspector to Town Clerk - Notification of compliance with Code by Wehrle Drive-In Theatre for renewal of 1983-84 license.	RεF
579.	LVAC to Town Board - Request transfer of funds for maintenance of vehicles.	SUPERVISOR
580.	Receiver of Taxes to Town Board - Report of Fixed Assets Inventory as of 6/30/83.	R&F
581.	Town Clerk to Town Board - Resume of actions taken in regards to Town Board meeting held 8/1/83.	R&F
582.	U.S. Dept. of Commerce to Supervisor - Notification that decision on application requesting EDA assistance under Emergency Jobs Program will be rendered in 60 days.	R & F
583.	LIDA Chairman to GSA Disposal Division - Notification of no interest in purchase of Nike Base.	CAPITAL & BUDGET COMMITTEE
584.	Association of Towns to Supervisor - Announcement of 1984 association dues.	SUPERVISOR
585.	County Dept. of Environment and Planning to Supervisor - Request for comments and review of information pertaining to municipal needs.	R & F
586.	Marine Midland Bank to Supervisor - Offer as fiscal agent for future debt issues.	R & F
587.	Supervisor to County Dept. of Environment and Planning - Request withdrawal of application for improvement of Nike site and reconsideration of installation of water line on Enterprise Dr.	
588.	Congressman Nowak to Supervisor - Comments regarding H.R. 1635.	R&F
589.	Supervisor to Governor - Endorsement of Job Credit Legislation Bill.	R & F
590.	D.C.O. to Town Board - Monthly report for July 1983.	R&F
591.	County Dept. of Environment and Planning to Supervisor - Transmittal of analytical results of samples taken 3/83 of private well.	R&F
592.	Supervisor to Steel Corp. of America - Response to letter regarding MTA's decision to purchase Korean steel.	R&F

# COMMUNICATIONS CONT'D.:

# DISPOSITION

593.	Gloria Gorenflo to Supervisor - Notice of resignation as Employment Coordinator effective 9/30/83.	HUMAN SERVICES SUPERVISOR
594.	ECIDA to Supervisor - Request list of area water, sewer, road and bridge needs.	SUPERVISOR FOR REPLY
595.	Josela Enterprises to Town Board - Request permission to remove excess topsoil from Bell Tower Village site.	R & F - UNTIL SUBDIVI SION IS APPROVED BY ATTORNEY GENERAL
596.	Twin District V.F.C. to Town Clerk - Notice of acceptance of Karen Bulera into Jr. Firefighter Program.	R & F
597.	Village of Lancaster to Town Board - Transmittal of resolution adopted 7/25/83 supporting reduced speed zone on Como Park Blvd. west to village line.	R & F
598.	County Dept. of Environment and Planning to Tonawanda News, Hamburg Sun & Buffalo News - Notice of public hearing to be held 9/9/83 at Buffalo regarding charges for use of Erie County Sewer District sewers.	R & F
599.	N.Y.S. Public Service Comm. to Supervisor - Notice of public hearings to be held 9/22/83 and 9/27/83 regarding N.Y.S. Electric & Gas Corp.'s rate request.	ENERGY COMMISSION
600.	N.Y.S. Public Service Comm. to Supervisor - Notice of public hearing to be held 8/23/83 regarding N.Y.S. Electric & Gas Corp.'s rate request.	ENERGY COMMISSION
601.	National Association of Towns and Townships to Supervisor - Request attendance at educational conference to be held 9/11-13/83 in Washington, D.C.	R & F
602.	Highway Supt. to Town Board ~ Request bid opening 9/6/83 for two diesel- powered straight trucks.	R&F
603.	Cablevision Industries to Town Clerk - Notification that Global Cable TV has terminated Agreement of Sale.	CABLE TV COMMITTEE
604.	Planning Board to Giallanza Corp Request status of Plumb Bottom Industrial Park proposal.	RεF
605.	Planning Board Chair. to Town Board - Recommendation of denial for Manhasset Tool and Die Dumping Permit application.	DRAINAGE COMMITTEE PLANNING COMMITTEE INVESTIGATION COMM.
606.	Planning Board to Town Board - Minutes from meeting held 7/20/83.	REF
607.	Youth Bureau to Town Board - Recommend action be taken to reorganize Youth Board staff.	HUMAN SERVICES
608	Automatic Sprinkler Corp. to Buildings Supt Transmittal of Inspection Agreement for sprinkler system.	SUPERVISOR

### COMMUNICATIONS CONT'D.:

### DISPOSITION

609.	Recommendation of three members to LVAC.	R&F
610.	Supervisor to Town Board - Notification of investment of funds during July 1983.	REF
611.	Highway Supt. to Supervisor - Suggestions regarding enhancement of Town Center.	HIGHWAY SUPT. BLDG. COMM. SUPERVISOR
612.	Belmont Shelter Corp. to Supervisor – Status of Section 8 Existing and Moderate Rehabilitation Programs.	R&F
613.	Global Cable TV to Supervisor - Notification that pending sale to Tri-County Cablevision has been terminated.	R & F
614.	Lancaster Stone Products Corp. to Supervisor - Reply concerning blast.	R & F
615.	County Dept. of Environment and Planning to Supervisor - Notice of receipt of letter regarding sale of correctional facility.	R & F
616.	Buildings Supt. to Supervisor - Report on Town Hall boiler.	BLDG, COMM.
617.	Supervisor to U.S. Dept. of Commerce, Emergency Jobs Project – Transmittal of data relative to Lancaster Industrial Commerce Center.	R & F
	The Supervisor requested a suspension of the	necessary rule for

The Supervisor requested a suspension of the necessary rule for immediate consideration of the following communications - SUSPENSION GRANTED.

618. Residents of Simme Road to Town Board -Request that Speed Limit be lowered on Simme Road.

619. Krehbiel Engineers to Town Board Recommendation contract award - Water Lines,
Lancaster Town Center.

PUBLIC SAFETY COMMITTEE
CHIEF FOWLER FOR
RECOMMENDATION

TOWN CLERK FOR SUSPEND-ED RESOLUTION

### ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 10:15 P.M. out of respect to:

EDWARD ADAMS
PAUL EVANS
MICHAEL OLIVIERI
JOSEPH WEISBECK

Robert P. Thill Town Clerk